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July 1, 2014

**VIA ECF**

The Honorable Michael A. Hammer, U.S.M.J.  
United States District Court  
District of New Jersey  
Martin Luther King Building and U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

**Re: Lisa Fisher v. Hon. Francine A. Schott, et al.**  
**Civil Action No. 13-cv-5549 (JLL) (JAD)**

Dear Judge Hammer:

This firm represents Defendant, Honorable Francine A. Schott, J.S.C., ("Judge Schott") in the above-captioned matter filed by Plaintiff, Lisa Fisher ("Plaintiff") (collectively, "the parties"). Please allow this correspondence to memorialize Judge Schott's formal request to file a Motion before your honor, specifically seeking and limited to outstanding discovery of Plaintiff's Social Media account(s) information. Notwithstanding this firm's diligence in conducting discovery, following the Rules of Civil Procedure, obeying this Court's Orders, and accommodating counsel for Plaintiff; counsel for Plaintiff will not allow discovery to proceed without additional Court intervention.

On May 21, 2014, counsel for Judge Schott and counsel for Plaintiff met and conferred in your Honor's chambers regarding the parties' outstanding discovery disputes. On that date, your Honor directed the parties to submit to each other in writing our respective understanding of the outstanding disputes by Wednesday, May 28, 2014; and your Honor Ordered the parties to then submit a "joint letter" itemizing and summarizing such



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outstanding discovery disputes by Monday, June 9, 2014. **However, counsel for Plaintiff failed to meet the May 28, 2014 deadline.**

On Wednesday, May 28, 2014, counsel for Plaintiff first indicated that he required an extension of time to submit his client's understanding of the outstanding discovery disputes; which extension we readily provided. Thereafter, counsel for Plaintiff requested additional extensions of time; which, again, we readily provided. **However, counsel for Plaintiff failed to meet any of the extended deadlines.**

On June 9, 2014, counsel for Plaintiff requested that your Honor grant yet another extension to submit in writing his client's respective understanding of the outstanding discovery disputes by June 16, 2014; which your Honor granted. **However, counsel for Plaintiff failed to meet that deadline, as well.**

On June 16, 2014, counsel for Plaintiff again requested that your Honor grant another extension to submit in writing his client's respective understanding of the outstanding discovery disputes by June 30, 2014; which your Honor granted. **However, counsel for Plaintiff again failed to meet that deadline.**

Throughout this process, counsel for Plaintiff has shown nothing but contempt for the Rules of Civil Procedure, opposing counsel, and this Court's Orders. Counsel for Plaintiff has consistently failed not only to meet critical deadlines, but even to return our correspondence or engage in good-faith efforts to resolve the parties' discovery disputes. This is simply unacceptable.

At this juncture, it has become imperative that your Honor rule on Judge Schott's entitlement to the highly relevant information in contained in Plaintiff's Social Media account(s). The above chronology clearly reveals that counsel for Plaintiff is unwilling to allow this matter to be decided by your Honor's review a "joint submission"; the consequence of which has been a highly prejudicial delay.

In light of the foregoing, Judge Schott respectfully requests that she be afforded the opportunity to file a Motion



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before your Honor, specifically seeking and limited to outstanding discovery of Plaintiff's Social Media account(s) information.

We thank Your Honor for your time and consideration. Should the Court require anything further, please do not hesitate to contact me.

Respectfully Submitted,

**GENOVA BURNS GIANTOMASI WEBSTER LLC**

/s/ William G. Nestor III  
WILLIAM G. NESTOR, III

c: Andrew Dwyer, Esq. (via ECF)  
Susan M. Scott, Esq., Deputy Attorney General (via ECF)